

E-Filed 6/13/11

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JESSE CARABAY,

Plaintiff,

v.

MICHAEL C. SAYRE, et al.,

Defendants.

No. C 11-0289 RS (PR)

SECOND ORDER OF SERVICE;

**DIRECTING DEFENDANTS TO FILE
DISPOSITIVE MOTION OR NOTICE
REGARDING SUCH MOTION;**


INSTRUCTIONS TO CLERK

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner against employees of Pelican Bay State Prison (“PBSP”). Plaintiff alleges that (1) Michael C. Sayre, Chief Medical Officer at PBSP; (2) Claire Williams, a physician at PBSP; (3) Kay Vail, a nurse at the prison; and (4) Nancy Madison, a registered nurse at the prison, were deliberately indifferent to plaintiff’s serious back pain and other medical needs, in violation of the Eighth Amendment. Plaintiff has filed a motion for leave to file an amended complaint, Docket No. 9, and an amended complaint. Because a plaintiff may amend the complaint once as a matter of course within 21 days after serving it, Fed. R. Civ. P. 15(a)(1)(A), plaintiff’s motion for leave is GRANTED. The complaint is amended according to the changes plaintiff details in the amended complaint. Defendants are hereby GRANTED 90 days from the date of this order to file a dispositive motion, as defendants

1 will require additional time to respond to the amended complaint. Other than this change, the
2 briefing schedule as set forth in the first order of service remains in effect. The Clerk shall
3 terminate Docket No. 9.

4 **IT IS SO ORDERED.**

5 DATED: June 13, 2011


6 RICHARD SEEBORG
United States District Judge